

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

GREGORY VINCENT STARITZ

Plaintiff,

VS.

LUPE VALDEZ, ET AL.

Defendants.

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NO. 3-06-CV-1926-D

ORDER


After making an independent review of the pleadings, files, and records in this case, and the December 8, 2006 findings and recommendation of the magistrate judge, the court concludes that the findings and conclusions are correct and are therefore adopted.

Plaintiff's January 3, 2007 and March 20, 2007 motions for appointment of counsel are denied. A plaintiff in a civil rights action is not entitled to court appointed counsel as a matter of law. *Castro Romero v. Becken*, 256 F.3d 349, 353-354 (5th Cir.2001); *Akasike v. Fitzpatrick*, 26 F.3d 510, 512 (5th Cir.1994); *Ulmer v. Chancellor*, 691 F.2d 209, 212 (5th Cir.1982). Plaintiff cannot show that his case presents exceptional circumstances warranting the appointment of counsel. *See Ulmer*, 691 F.2d at 212. Indeed, for the reasons explained in the magistrate judge's December 8, 2006 findings and recommendation, which this court now adopts, this case is subject to summary dismissal. The court is unable to conclude that the case would not be subject to such dismissal were

plaintiff represented by counsel.

SO ORDERED.

May 21, 2007.



SIDNEY A. FITZWATER
UNITED STATES DISTRICT JUDGE